

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-122-T - ORDER NO. 2003-479

AUGUST 4, 2003

IN RE:	Application of JW Moving & Storage, Inc.)	ORDER APPROVING
	DBA All My Sons Moving & Storage, 528-B)	AMENDMENT TO
	Brookshire Road, Greer, SC 29651 (Mailing)	CERTIFICATE
	Address: 1754 Woodruff Road, #145,)	
	Greenville, SC 29651)(District 4), to Amend)	
	Class E Certificate of Public Convenience and)	
	Necessity.)	

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of JW Moving & Storage, Inc. DBA All My Sons Moving & Storage (All My Sons or the Company) to amend its Class E Certificate of Public Convenience and Necessity No. 9715-A which now reads as follows:

Household Goods, as defined in R. 103-210(1):
Between points and places in Greenville, Spartanburg, and
Cherokee Counties, SC.

The proposed amendment to the Certificate would read as follows:

Household Goods, as defined in R. 103-210(1):
Between points and places in South Carolina.

As per the instructions of the Commission's Executive Director, a Notice of Filing of the Application was published in newspapers of general circulation in the proposed areas of service. The Company filed affidavits showing that it had complied with the instructions of the Executive Director. Petitions to Intervene were filed by Carey

Moving & Storage, Inc., Carey Moving & Storage of Greenville, Inc, and Arrow Moving & Storage, Inc. (collectively, the Intervenors).

Subsequently, letters were filed by the Company and the Intervenors agreeing to a downward amendment to the authority originally sought, which is as follows:

Household Goods, as defined in R. 103-210(1):
From points and places in Greenville, Spartanburg and Cherokee Counties, SC to points and places in South Carolina; and from points and places in South Carolina to points and places in Greenville, Spartanburg and Cherokee Counties.

This is the requested amendment that shall be considered by this Commission. With acceptance of this downward amendment, all Intervenors withdrew from the Docket.

Accordingly, a hearing was held on July 9, 2003 at 2:30 PM on the amended Application in the offices of the Commission. The Honorable Mignon Clyburn, Chairman, presided. All My Sons was represented by Robert T. Bockman, Esquire. The Commission Staff was represented by F. David Butler, General Counsel. The Company presented the testimony of Jeff Wooldridge, John Flannigan, Wendy Foulke, Jamie Dees, and Donna Williams. The Commission Staff presented no witnesses.

II. SUMMARY OF TESTIMONY

Jeff Wooldridge, President of the Company, testified in support of the Company's Application. Wooldridge stated that he has seven years experience with All My Sons Moving & Storage while in Florida. He noted that he had worked in sales, estimating, dispatch, payroll accounting, and other areas of the moving business. Wooldridge stated that once JW Moving & Storage was granted authority from this Commission, All My Sons approached him about operating under the All My Sons name in South Carolina so

that the Company could conduct interstate moves in the area. (Subsequently, this Commission granted an amendment to the name on the Certificate from JW Moving & Storage, Inc. to JW Moving & Storage, Inc. d/b/a All My Sons Moving & Storage. See Order No. 2001-1041.)

Wooldridge further testified about his rolling stock and stated that he has a 6,000 foot warehouse with 1,000 square feet of office space near the Greenville/Spartanburg airport. Also, his company is an agent for Red Ball Van Lines. In addition, the Company, according to Wooldridge, has limits of insurance well above the minimum limits mandated by the Commission.

With regard to public convenience and necessity, Wooldridge testified about a list of phone inquiries requesting moves that were out of his present scope of authority. These inquiries listed dates from December, 2001 to December, 2002. Further, Wooldridge noted that he turns down approximately 10-12 moves per week that he could be serving if he is granted the amended scope.

The second witness for the Company was Jamie Dees, Marketing Director for Clear Channel Communications. Ms. Dees noted that Clear Channel has 30 stations in South Carolina, and, accordingly, serves almost every county in the State. Her duties include arranging for relocation services for employees. Ms. Dees states that she has had problems arranging timely moves using existing carriers, and that if the Company's expansion of authority is approved, she will put it on her list of vendors.

John Flannigan, the Human Resources Manager for Magnolia Finishing & Milling Company in Blacksburg, South Carolina, also testified. Flannigan noted that his

duties include assisting employees in relocation needs. Flannigan stated that he looks for best quality, lowest cost smaller carriers, and that All My Sons would be a perfect fit. Further, he would use them as one of his vendors.

Wendy Foulke also testified on behalf of the Company as a shipper witness. Ms. Foulke moved from Greenville to Columbia in August of 2000, and had a bad moving experience. She testified that she used All My Sons to move within Greenville County twice, and had a very good experience both times.

Finally, Donna Williams testified. Ms. Williams used All My Sons on a move within the Greer, South Carolina area, and had a good experience. She states that she plans to move to York, South Carolina and would like to be able to call on All My Sons for that move also. Ms. Williams stated that this was the reason that she decided to present testimony before the Commission.

III. DISCUSSION AND CONCLUSIONS

S.C. Code Ann. Section 58-23-590(C)(Supp. 2002) states that the Commission shall issue a common carrier certificate of public convenience and necessity if the applicant proves to the Commission that: (1) it is fit, willing, and able to properly perform the proposed service and comply with the provisions of the chapter and the Commission's regulations and (2) the proposed service, to the extent to be authorized by the certificate or permit, is required by the present public convenience and necessity. We would note that this Commission has already granted a certificate to this Company for the movement of household goods between points and places in Greenville, Spartanburg, and Cherokee Counties. See Order No. 2001-593. Accordingly, this Commission needs to

examine whether the statutory criteria above are met for the expanded authority sought by All My Sons.

We believe that the Company has shown, through its testimony, that it meets the statutory criteria for the proposed expanded authority. The testimony of Jeff Wooldridge certainly shows that the Company is fit, willing, and able to service the expanded authority. All My Sons has demonstrated its knowledge, its experience (through that of its President), its ability to obtain equipment, its possession of insurance policies with limit amounts exceeding the required amounts, and its lack of judgments. The testimonies of Wendy Foulke and Donna Williams also support the general fitness of the Company. Further, we hold that the Company has demonstrated that the proposed service is required by the present public convenience and necessity. The testimony of Jamie Dees is particularly relevant and pertinent to this criterion. Ms. Dees is employed by a Company with radio stations that serve almost every county in South Carolina. Her duties include arranging for relocation services for the Company's employees. She stated that she has had problems arranging for timely moves using existing carriers, and that she needed to add another moving company to her vendor list. Ms. Dees' testimony is supported by the testimony of John Flannigan, which is in a similar vein.

Because of the reasoning as stated above, we hold that the proposed amendment to Certificate No. 9715-A is granted. The Certificate shall be amended to read as follows:

Household Goods, as defined in R. 103-210(1):
From points and places in Greenville, Spartanburg and Cherokee
Counties, SC to points and places in South Carolina; and from
points and places in South Carolina to points and places in Greenville,
Spartanburg and Cherokee Counties.

This grant of authority is contingent upon compliance with all Commission regulations as outlined below.

IV. ORDER

IT IS THEREFORE ORDERED THAT:

1. The Application of JW Moving & Storage, Inc. d/b/a All My Sons Moving & Storage to amend Class E Certificate No. 9715-A is granted as amended, and the authority therein shall read as follows:

Household Goods, as defined in R. 103-210(1):
From points and places in Greenville, Spartanburg and Cherokee Counties, SC to points and places in South Carolina; and from points and places in South Carolina to points and places in Greenville, Spartanburg and Cherokee Counties.

2. All My Sons shall file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R.38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. Upon compliance with S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a Certificate shall be issued to All My Sons authorizing the motor carrier services granted herein.

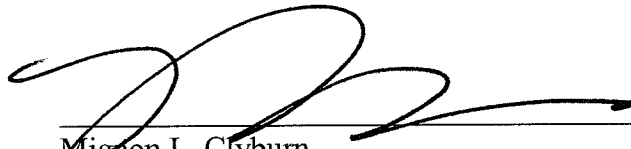
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4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized herein shall not be provided.

5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Mignon L. Clyburn
Chairman

ATTEST:


Gary E. Walsh
Executive Director

(SEAL)